

July 6, 2020

Page 1

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF SOUTH CAROLINA
3 SPARTANBURG DIVISION

4 MICHAEL J. PAULING AND RAMONA
5 CESAREO-PAULING,

6 Plaintiffs,

7 vs. Case No. 7:19-CV-00206-HMH

8 IDELIVERTL, LLC; ISOM FREIGHT LINES, LLC;
9 SAMMIE LEE MCCLOUD; NAVISTAR, INC.;
10 NATIONAL FLEET MANAGEMENT, INC.;
11 AND G&P TRUCKING COMPANY, INC.,

12 Defendants.

13 VIDEOTAPED VIDEOTELECONFERENCE

14 DEPOSITION OF: NATIONAL FLEET MANAGEMENT, INC.
15 (By William D. Black)
16 (Via Videoconference)

17 DATE: Monday, July 6, 2020

18 TIME: 1:10 p.m.

19 LOCATION: 818 Greenwood Avenue, NE
20 #106
21 Atlanta, Georgia 30306

22 TAKEN BY: Counsel for Plaintiffs

23 REPORTED BY: Elaine L. Grove-DeFreitas,
24 Certified Court Reporter
25 (Via Videoconference)

VIDEOTAPED BY: Douglas Browne, CLVS
 (Via Videoconference)

July 6, 2020

Page 2

1 APPEARANCES OF COUNSEL:
2

3 ATTORNEYS FOR THE PLAINTIFF
4

MICHAEL PAULING AND RAMONA CESAREO-PAULING:
CHAPPELL, SMITH AND ARDEN
BY: WILLIAM H. MCANGUS, JR.
2801 Devine Street
Suite 300
Columbia, South Carolina 29205
803-929-3600
hugh@csa-law.com
(Via Videoconference)

8
9 ATTORNEYS FOR THE DEFENDANT
10

NAVISTAR, INC.:

BOWMAN AND BROOKE, LLP
BY: DEREK D. TARVER
1441 Main Street
Suite 1200
Columbia, South Carolina 29201
803-726-7420
derek.tarver@bowmanandbrooke.com
(Via Videoconference)

11
12 ATTORNEYS FOR THE DEFENDANT
13

IDELEVERTL, LLC, ISOM FREIGHT LINES, LLC
AND SAMMIE LEE MCCLOUD:

MOSELEY, MARCINAK LAW GROUP, LLP
BY: G. THOMAS CHASE
4324 Wade Hampton Boulevard
Suite B
Taylors, South Carolina 29687
864-248-6040
tom.chase@momaqlaw.com
(Via Videoconference)

14
15
16
17
18
19
20
21
22
23
24
25

Page 3

1 APPEARANCES OF COUNSEL:
2

3 ATTORNEYS FOR THE DEFENDANT
4 NATIONAL FLEET MANAGEMENT, INC.:
5 CLAWSON AND STAUBES, LLC
6 BY: AMY N. SNYDER
7 1000 East North Street
8 Suite 200
9 Greenville, South Carolina 29601
10 864-331-8940
11 amy@cslaw.com
12 (Via Videoconference)

13 ATTORNEYS FOR THE DEFENDANT
14 G&P TRUCKING COMPANY, INC.:
15 CLARKSON, WALSH AND COULTER
16 BY: JAMES P. WALSH
17 1146A Woodruff Road
18 Greenville, South Carolina 29607
19 864-232-4400
20 jwalsh@clarksonwalsh.com
21 (Via Videoconference)

22 ALSO PRESENT: Lawton Harper
23 (Via Videoconference)

24
25

Page 31

1 A. Is the valve would just push through the
2 dash. The mounting screws are what actually hold it
3 stable so you can push the valves in.

4 Q. And what happens if the valve is pushed
5 into the dash? Well, strike that.

6 Is that true for both the valves, the
7 red valve and the yellow valve?

8 A. It's all one valve. Yeah. They come in
9 one piece.

10 Q. And what do you call -- the red valve is
11 called what?

12 A. That's your parking brake.

13 Q. And the yellow diagonal-shaped one,
14 diamond-shaped one?

15 A. Your trailer -- trailer brakes.

16 Q. Okay. And if there were screws missing
17 in affixing the valves to the dash, what did you
18 tell me would happen?

19 A. It wouldn't work. You would push it in
20 and it would just push through the dash.

21 Q. And what would then -- how would that
22 translate into either the brakes -- the air brakes
23 operating or failing to operate?

24 A. It would never -- you wouldn't be able
25 to move the vehicle. The vehicle -- the parking